

**Rec'd PCT/PTO 29 JUL 2005**

## IN THE UNITED STATES PATENT RECEIVING OFFICE

Applicant : Walter H. Hsu et al.                      Art Unit : Unknown  
Serial No. : 10/509,926                                  Examiner : Unknown  
Filed : October 1, 2004  
Title : MYCOPLASMA POLYPEPTIDES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DECLARATION BY THE INVENTOR

As a below-named inventor(s), I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MYCOPLASMA POLYPEPTIDES, the specification of which was filed on October 1, 2004, as Application Serial No. 10/509,926.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 CFR §1.56(a).

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

✓ U.S. Serial No.	Filing Date	Status
60/370,344	5 April 2002	Abandoned

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. E 467 325027USJULY 27, 2005  
Date of Deposit

Applicant : Walter H. Hsu et al.  
Serial No. : 10/509,926  
Filed : October 1, 2004  
Page : 2 of 3

Rec'd PCT/PTO 29 JUL 2005  
Attorney's Docket No.: 08411-041US1 / ISURF  
#02842

information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
none		

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application No.	Filing Date	Priority Claimed
WIPO	PCT/US03/10305	4 April 2003	[X] Yes [ ] No

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

100 Full name of inventor: WALTER H. HSU

Inventor's signature: Walter H. Hsu

Date: Dec 29, 2004

Residence: Ames, IA

Citizen of: United States

Post Office Address: 2725 Northridge Circle  
Ames, IA 50014

Applicant : Walter H. Hsu et al.  
 Serial No. : 10/509,926  
 Filed : October 1, 2004  
 Page : 3 of 3

Attorney's Docket No.: 08411-041US1 / ISURF  
 #02842

200

Full name of inventor: THERESA F. YOUNG

Inventor's signature: *Theresa F. Young*

Date: 1-28-05

Residence: ~~Ames, IA~~ 1759 Oriole Ct. Carlsbad, CA CA

Citizen of: United States

Post Office Address: ~~925 Arizona Avenue~~

~~Ames, IA 50014~~

Full name of inventor: RICHARD F. ROSS

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Ames, IA

Citizen of: United States

Post Office Address: 4022 Stone Brook Road

Ames, IA 50010

Full name of inventor: EN-MIN ZHOU

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Ames, IA

Citizen of: Canada

Post Office Address: 4612 Clemens Boulevard

Ames, IA 50014

JXF/kjs

Fish & Richardson P.C., P.A.  
 60 South Sixth Street  
 Suite 3300  
 Minneapolis, MN 55402  
 Telephone: (612) 335-5070  
 Facsimile: (612) 288-9696

60259522.doc

Applicant : Walter H. Hsu et al.  
Serial No. : 10/509,926  
Filed : October 1, 2004  
Page : 3 of 3

Rec'd PCT/PTO 29 JUL 2005  
Attorney's Docket No.: 08411-041US1/ISURF  
#02842

Full name of inventor: THERESA F. YOUNG

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Ames, IA

Citizen of: United States

Post Office Address: 925 Arizona Avenue  
Ames, IA 50014

3-0 Full name of inventor: RICHARD F. ROSS

Inventor's signature: Richard F. Ross

Date: January 3, 2005

Residence: Ames, IA IA

Citizen of: United States

Post Office Address: 4022 Stone Brook Road  
Ames, IA 50010

Full name of inventor: EN-MIN ZHOU

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Ames, IA

Citizen of: Canada

Post Office Address: 4612 Clemens Boulevard  
Ames, IA 50014

JXF/kjs

Fish & Richardson P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696

60259522.doc

Rec'd PCT/PTO 29 JUL 2005

Applicant : Walter H. Hsu et al.  
Serial No. : 10/509,926  
Filed : October 1, 2004  
Page : 3 of 3

Attorney's Docket No.: 08411-041US1 / ISURF  
#02842

Full name of inventor: THERESA F. YOUNG

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Ames, IA  
Citizen of: United States  
Post Office Address: 925 Arizona Avenue  
Ames, IA 50014

Full name of inventor: RICHARD F. ROSS

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Ames, IA  
Citizen of: United States  
Post Office Address: 4022 Stone Brook Road  
Ames, IA 50010

4-00 Full name of inventor: EN-MIN ZHOU

Inventor's signature:  \_\_\_\_\_

Date: 12/29/04 \_\_\_\_\_

Residence: Ames, IA IA  
Citizen of: Canada  
Post Office Address: 4612 Clemens Boulevard  
Ames, IA 50014

JXF/kjs

Fish & Richardson P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696

60259522.doc

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Walter H. Hsu et al.                      Art Unit : Unknown  
Serial No. : 10/509,926                                      Examiner : Unknown  
Filed : October 1, 2004  
Title : MYCOPLASMA POLYPEPTIDES

**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

POWER OF ATTORNEY BY ASSIGNEE AND ELECTION OF  
ASSIGNEE TO CONDUCT PROSECUTION TO EXCLUSION OF INVENTORS

The undersigned, as authorized representative of the assignee of the entire right, title and interest in the above-identified application, hereby appoints

Mark S. Ellinger, Ph.D., Reg. No. 34,812  
Richard J. Anderson, Reg. No. 36,732  
J. Patrick Finn III, Ph.D., Reg. No. 44,109  
Ann S. Viksnins, Reg. No. 37,748  
John F. Hayden, Reg. No. 37,460

Dorothy P. Whelan, Reg. No. 33,814  
Ronald C. Lundquist, Ph.D., Reg. No. 37,875  
Teresa A. Lavoie, Ph.D., Reg. No. 42,782  
M. Angela Parsons, Ph.D., Reg. No. 44,282  
Elizabeth N. Kaytor, Ph.D., Reg. No. 53,103

as its attorney to prosecute the application and to transact all business in the Patent and Trademark Office connected therewith with full powers of substitution and revocation, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 CFR §3.71 *et seq.* of the Patent Office Rules of Practice.

Ownership is in the assignee by virtue of the assignment documents (copy attached). The documents evidencing ownership have been reviewed and to the best of the assignee's knowledge and belief, title is in the assignee.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV467325027US

July 29, 2005  
Date of Deposit

Applicant : Walter H. Hsu et al.  
Serial No. : 10/509,926  
Filed : October 1, 2004  
Page : 2 of 2

Attorney's Docket No.: 08411-041US1 /  
ISURF #02842

Please direct all communications regarding the application to the attorney at the address and telephone numbers indicated below.

Mark S. Ellinger, Ph.D.  
FISH & RICHARDSON P.C., P.A.  
60 South Sixth Street, Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696

Signature: K Kirkland 03/16/05

Typed name: Kenneth Kirkland

Title: Executive Director, Iowa State University Research Foundation, Inc.

Assignee: Iowa State University Research Foundation, Inc.

ASSIGNMENT

For valuable consideration, we, Walter H. Hsu, of 2725 Northridge Circle, Ames, IA 50014; Theresa F. Young, of 925 Arizona Avenue, Ames, IA 50014; Richard F. Ross, of 4022 Stone Brook Road, Ames, IA 50010; and En-Min Zhou, of 4612 Clemens Boulevard, Ames, IA 50014; hereby assign, effective as of April 3, 2003, to IOWA STATE UNIVERSITY RESEARCH FOUNDATION, INC., an Iowa corporation, having a place of business at 310 Lab of Mechanics, Ames, IA 50011-2131, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by us, entitled MYCOPLASMA POLYPEPTIDES, filed October 1, 2004, and assigned U.S. Serial Number 10/509,926; and International Application entitled MYCOPLASMA POLYPEPTIDES, and assigned International Serial No. PCT/US2003/10305, filed April 4, 2003; and U.S. Provisional Application Serial No. 60/370,344, filed April 5, 2002; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our name or in its own name for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for ourselves and our respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.



DATE: November 29th, 2004 Walter H. Hsu  
WALTER H. HSU

STATE OF Iowa )  
COUNTY OF Story ) SS.

On Nov. 29, 2004, before me, the undersigned, a notary public for the State of Iowa personally appeared WALTER H. HSU appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within Assignment, and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the Assignment the person or the entity upon behalf of which the person acted executed the Assignment.

WITNESS my hand and official seal.

2/21/07

Melinda L. Schmitke  
Notary Public

DATE: \_\_\_\_\_

\_\_\_\_\_  
THERESA F. YOUNG

STATE OF \_\_\_\_\_ )

) SS.

COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, before me, the undersigned, a notary public for the State of Iowa personally appeared THERESA F. YOUNG appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within Assignment, and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the Assignment the person or the entity upon behalf of which the person acted executed the Assignment.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

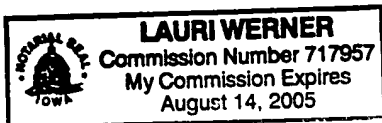
DATE: 11/21/04

Richard F. Ross  
RICHARD F. ROSS

STATE OF Iowa )  
COUNTY OF Story ) SS.


On Nov. 29, 2004, before me, the undersigned, a notary public for the State of Iowa personally appeared RICHARD F. ROSS appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within Assignment, and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the Assignment the person or the entity upon behalf of which the person acted executed the Assignment.

WITNESS my hand and official seal.



Lauri Werner  
Notary Public

DATE: Nov. 24, 2004


  
 EN-MIN ZHOU

STATE OF Iowa )  
 ) SS.  
 COUNTY OF Story )

On November 24, 2004, before me, the undersigned, a notary public for the State of Iowa personally appeared EN-MIN ZHOU appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within Assignment, and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the Assignment the person or the entity upon behalf of which the person acted executed the Assignment.

WITNESS my hand and official seal.



  
 Notary Public

60259524.doc

ASSIGNMENT

For valuable consideration, we, Walter H. Hsu, of 2725 Northridge Circle, Ames, IA 50014; Theresa F. Young, of 925 Arizona Avenue, Ames, IA 50014; Richard F. Ross, of 4022 Stone Brook Road, Ames, IA 50010; and En-Min Zhou, of 4612 Clemens Boulevard, Ames, IA 50014; hereby assign, effective as of April 3, 2003, to IOWA STATE UNIVERSITY RESEARCH FOUNDATION, INC., an Iowa corporation, having a place of business at 310 Lab of Mechanics, Ames, IA 50011-2131, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by us, entitled MYCOPLASMA POLYPEPTIDES, filed October 1, 2004, and assigned U.S. Serial Number 10/509,926; and International Application entitled MYCOPLASMA POLYPEPTIDES, and assigned International Serial No. PCT/US2003/10305, filed April 4, 2003; and U.S. Provisional Application Serial No. 60/370,344, filed April 5, 2002; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our name or in its own name for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for ourselves and our respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

DATE: November 29th, 2004 Walter H. Hsu  
WALTER H. HSU

STATE OF Iowa )  
 ) SS.  
COUNTY OF Story )

On Nov 29, 2004, before me, the undersigned, a notary public for the State of Iowa personally appeared WALTER H. HSU appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within Assignment, and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the Assignment the person or the entity upon behalf of which the person acted executed the Assignment.

WITNESS my hand and official seal.

2/21/07

Melinda L. Schmitke  
Notary Public

DATE: Dec 7, 2004

*Theresa F. Young*  
THERESA F. YOUNG

STATE OF CA )  
 ) SS.  
COUNTY OF San Diego )

On 12-7-2004, before me, the undersigned, a notary public for the State of California personally appeared THERESA F. YOUNG appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within Assignment, and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the Assignment the person or the entity upon behalf of which the person acted executed the Assignment.

WITNESS my hand and official seal.



*Katie Rockwell*  
Notary Public

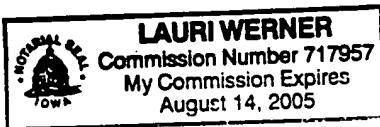
DATE: 11/21/04

Richard F. Ross  
RICHARD F. ROSS

STATE OF Iowa )  
 ) SS.  
COUNTY OF Story )

On Nov. 29, 2004, before me, the undersigned, a notary public for the State of Iowa personally appeared RICHARD F. ROSS appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within Assignment, and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the Assignment the person or the entity upon behalf of which the person acted executed the Assignment.

WITNESS my hand and official seal.



Lauri Werner  
Notary Public